



Crl.O.P.No.17346 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.08.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.17346 of 2023

and

Crl.M.P.No.11249 of 2023

K.Karthick Kumar
S/o.Karuna

.. Petitioner

Vs.

State represented by
The Inspector of Police,
W-9 All Women Police Station,
Villivakkam, Chennai - 600 049.
[Crime No.3 of 2021]

..Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, praying to call for the records relating to the proceedings in Spl.S.C.No.88 of 2023 punishable under Sections 366, 343, 376(3) of IPC and Section 5(j)(ii) r/w Section 6 of POCSO Act, 2012 on the file of the Mahila Court, Allikulam, Chennai-600 003 and quash the proceedings against the petitioner.

For Petitioner : Mr.K.A.Mariappan
For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

ORDER



Crl.O.P.No.17346 of 2023

WEB COPY

This Criminal Original Petition has been filed seeking to quash the proceedings in Spl.S.C.No.88 of 2023 on the file of Mahila Court, Allikulam, Chennai-600 003.

2. The case is still at the stage of trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. Affidavits have been filed by the victim girl, victim girl's mother, petitioner and his mother before this Court. In the affidavits, it has been stated that the parties have entered into a compromise and amicably settled their issues in Spl.S.C.No.88 of 2023 on the file of Mahila Court, Allikulam, Chennai-600 003.

4. The victim girl was present before this Court and she stated that her family has accepted the relationship with the petitioner and she is living with the petitioner and she has also given birth to a girl child named Mahira, aged about 1½ years.



CrI.O.P.No.17346 of 2023

WEB COPY

5. The mother of the victim girl, viz., Chandra was also present before this Court and she stated that her daughter is happily living with the petitioner. She also requested this Court to close the proceedings.

6. The petitioner was present along his mother Punitha and they have also brought the child that was born to the petitioner and the victim girl.

7. This Court was satisfied that the parties have come to an amicable settlement between themselves.

8. Under such circumstances, no useful purpose will be served in keeping the case pending, even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in **2017 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath)** and after exercising due caution as advised by the Hon'ble Supreme Court in **The State of Madhya Pradesh v.**



CrI.O.P.No.17346 of 2023

Dhruv Gurjar and Another reported in ***(2019) 2 MLJ CrI 10***, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in Spl.S.C.No.88 of 2023 on the file of Mahila Court, Allikulam, Chennai-600 003.

This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.88 of 2023 on the file of Mahila Court, Allikulam, Chennai-600 003, is quashed and the terms of affidavit shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed.

16.08.2023

Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No
gm

To

1.The Mahila Court,
Allikulam, Chennai-600 003.

4/6



CrI.O.P.No.17346 of 2023

WEB COPY

2.The Inspector of Police,
W-9 All Women Police Station,
Villivakkam, Chennai - 600 049.

3.The Public Prosecutor
High Court of Madras.



WEB COPY



Crl.O.P.No.17346 of 2023

N.ANAND VENKATESH, J

gm

Crl.O.P.No.17346 of 2023

16.08.2023